

REMARKS

After entry of the foregoing amendments, claims 1-6 remain pending in the application.

The specification has been amended to fix minor typographical errors. Additionally, the text on page 21 has been amended to specify that the Appendix B software is found in patent 5,822,436. (This patent was incorporated by reference in the first paragraph of the specification, so no new matter is added.)

The claims are amended to specify that the “wireless device” is a “cell phone.” The cited reference, Greenberg, does not teach or suggest a cell phone.

While cell phones are known in the art, applicant submits that there is no incentive or suggestion that would have led an artisan to incorporate teachings such as are provided by Greenberg into a cell phone.

For example, Greenberg is concerned with commercial radio broadcasts.<sup>1</sup> His purpose in encoding his radio broadcasts is to provide an automated system to verify that commercials are broadcast as agreed between the advertiser and the broadcast station.

No such incentive is present in cell phones. Accordingly, absent hindsight, applicant respectfully submits that an artisan would not seek to employ Greenberg’s teachings in a cell phone context.

To further distinguish the art, applicant has amended claim 1 to specify that the data transmission system is a digital data transmission system. Greenberg, in contrast, is an analog system.

Likewise, claim 4 has been amended to recite that the steganographically encoded information is transmitted in a digital format.

It does not appear that Greenberg teaches the limitations introduced by Claim 5. Greenberg receives input information (i.e., the information to be encoded to hide a plural bit code therein) in non-digital form (e.g., Greenberg’s voice, via a microphone). However, he does not express this input information in digital form, nor encode such digital form.

The cited excerpts from Greenberg at col. 5, lines 28 et seq appear to teach – at best – inputting a plural bit auxiliary code from an analog medium (i.e., printed bar code)

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<sup>1</sup> Greenberg, col. 1, lines 10-11.

and expressing that code digitally. However, this bar code is not the "input information" required by the claim. The "input information" required by the claim is the host information that is to be encoded to convey the plural-bit auxiliary code (e.g., Greenberg's voice in the cited excerpt).

IDS

An IDS was filed in the present application on May 6, 2003. However, an initialed copy of the Form PTO-1449 was not returned to the undersigned. The Examiner is requested to do so with the next communication.

Favorable reconsideration and passage to issuance are solicited.

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Respectfully submitted,

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